

How to Use the Statewide Contract for Landscaping and Green Roof Products, Playground Equipment, Site Amenities and Related Products

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| Contract #: FAC79 | Contract Duration: 06/01/2013 to 06/30/15 |
| MMARS #: FAC79* | Options to renew: Two (2) options of one (1) year each |
| Contract Manager: Sara Urato - 617-720-3319 sara.urato@massmail.state.ma.us | |
| This contract contains Small Business Purchasing Program (SBPP) and Supplier Diversity Office SDO Contractors | |
| Last change date: 1/7/2015 | |

Contract Summary

This contract covers the acquisition of landscaping products, playground equipment, site amenities and related products. There are nine (9) categories available:

| Cat # | Category Name | Regional or Statewide Awards |
|-------|--|------------------------------|
| 1 | Nursery Products, Including Native Plants | Regional & Statewide |
| 2 | Turf and Landscape Products: Seed, Sod, Fertilizer, Pesticide and Related Products | Regional & Statewide |
| 3 | Compost and Mulch | Regional |
| 4 | Soil Aggregate Products | Regional |
| 5 | Green Roof and Living Wall Materials and Supplies | Statewide |
| 6 | Playground Equipment and Surfaces | Statewide |
| 7 | Benches, Tables, Receptacles and Site Amenities | Statewide |
| 8 | Fencing, Railing, Decking, Partitions and Lockers | Statewide |
| 9 | Related Specialty Environmentally Preferable Products | Statewide |

Benefits and Cost Savings

- Competitive discounts for smaller orders under \$10,000
- Multiple quote process for orders over \$10,000 to drive additional discounts
- Generous Prompt Payment Discounts

Who Can Use This Contract?

Applicable Procurement Law: MGL c. 7, § 22; c. 30, § 51, § 52; 801 CMR 21.00

Eligible Entities:

1. Cities, towns, districts, counties and other political subdivisions
2. Executive, Legislative and Judicial Branches, including all Departments and elected offices therein;
3. Independent public authorities, commissions and quasi-public agencies

4. Local public libraries, public school districts and charter schools;
5. Public Hospitals, owned by the Commonwealth;
6. Public institutions of high education
7. Public purchasing cooperatives;
8. Non-profit, UFR-certified organizations that are doing business with the Commonwealth;
9. Other states and territories with no prior approval by the State Purchasing Agent required; and
10. Other entities when designated in writing by the State Purchasing Agent.

Compliance with Construction Law

This contract does not include construction related services. Eligible Entities should consult their legal counsel for assistance determining whether installation work includes construction as defined by M.G.L. c.149 or M.G.L. c.30, §39M. If installation of the system is deemed to include construction, then installation work done under this contract is limited to \$10,000 or less.

Pricing

All published contract pricing, including but not limited to firm pricing, contract discounts and all other pricing published under this contract is ceiling (not-to-exceed) pricing, and any published rebates are minimum rebates. Price structure varies among the categories. Specific price structure for each category is included below:

| Categories | Product Pricing | Delivery Pricing |
|---------------|--|---|
| 1 & 2 | Pricing for orders up to \$10,000 is based on vendor catalog or commercial price list, whichever is lower. Discounts based on size of order. Delivery price based on order amount and delivery region. Pricing for orders over \$10,000 is based on quotations. | Maximum delivery price is based on order amount and delivery region and is included in the price file. |
| 3 & 4 | Regional prices for specific products provided in the Vendor's price file | Delivery is included in the price listed in the price file. |
| 5, 6, 7, 8, 9 | Pricing is based on a discount off the Bidder's catalog or commercial price list, plus a separate delivery charge (if any) to be negotiated between the Contractor and the Eligible Entity for each project. Category 6 does not include | Delivery charges (if any) are to be negotiated between the Contractor and the Eligible Entity for each project. Delivery charges must be included in the quote and may not be marked up by more than 1% . |

| Categories | Product Pricing | Delivery Pricing |
|------------|--|------------------|
| | playground safety inspection services. | |

Labor Rates: Vendors in some categories have provided hourly rates for non-prevailing wage positions and mark-ups over prevailing wage for prevailing wage positions. Mark-ups over prevailing wage are **ceiling mark-ups** and hourly rates are **ceiling rates**; both will remain firm for the initial term of the contract. Vendors may decrease mark-ups or hourly rates at any time by contacting the OSD Contract Manager. Additionally, vendors may offer discounted rates to Eligible Entities on a case-by-case basis.

Prevailing Wage

Eligible Entities must provide contractors a copy of the current prevailing wage rates at the time of quote request. Prevailing wage sheets can be requested from the Department of Labor Standards by visiting their [website](http://www.mass.gov/lwd/labor-standards/prevailing-wage-program/) (<http://www.mass.gov/lwd/labor-standards/prevailing-wage-program/>). The process is automated and the turnaround time is very quick, less than one business day.

Negotiation

Eligible Entities have the right to negotiate pricing or other aspects of purchases within the scope of the contract and are encouraged to do so.

How to Use the Contract

Award Regions (Categories 1-4)

Categories 1-4 were awarded regionally. Check the region listing (on page 5) to determine the region for your city or town.

Process for Ordering

Users are encouraged to “shop around” among the contractors within the desired category to find the best pricing and product available. In order to ensure that you receive all the benefits and savings associated with the statewide contract, please **always reference the statewide contract and the document number (FAC79)** when opening an account and placing an order with a Contractor.

- **Orders up to \$10,000 – Percentage Discount.** Eligible Entities may purchase directly from the vendor of their choice without requesting multiple quotes.
- **Orders over \$10,000 - Multiple Quotes.** Eligible Entities are responsible for contacting the contractors of their choice to obtain **multiple** quotes prior to issuing an order.

Additional Requirements

No surcharges: No transportation, fuel, energy, insurance or any other surcharges will be allowed throughout the duration of the contract(s).

No pre-payments: Contractor must not request any form of pre-payments by the Eligible Entity before the service is rendered. For special projects implemented in phases, by mutual agreement of the Eligible Entity and the Contractor, invoices must be issued after each phase is completed to the Eligible Entity's satisfaction.

Summary of Where to Obtain Important Contract Information in COMMBUYS

This contract has been set up as a zero line item catalog in COMMBUYS
There are 20 vendors on this contract and each vendor has been assigned a unique Master Blanket Purchase Order.

How to place an order

Once a quote is obtained and selected the ordering process is as follows:

- Initiate a new requisition
- Search for an item (Use FAC79) in the description
- Select the vendor you will be placing an order with
- Select the appropriate catalog line
- Enter the total price
- Attach the vendor quote
- Submit for approval

Strategic Sourcing Services Team (SSST)

| Name | Eligible Entity |
|------------------|---|
| Randal Cabral | Department of Public Health |
| Randy Clarke | MBTA |
| Michael Courtney | Bureau State Buildings |
| David Crouse | Massachusetts State Police |
| Donald Denning | City of Boston |
| Nancy Fitzgerald | Department of Fire Services |
| Roger Gauthier | Department of Public Health |
| Sylvain Kabeya | Massachusetts Rehabilitation Commission |
| Adam Peters | MBTA |
| Charles Plungis | Operational Services Division |
| Korina Senior | Department of Fire Services |

Summary of Where to Obtain Important Contract Information

To obtain in depth contract information please go to the COMMBUYS (www.commbuys.com) website, click on "Contracts & Bid Search" then search by Contract/ Blanket Description FAC79 to locate the following contract information:

| | |
|---|------------------|
| Contract User Guide | "Attachment" Tab |
| Contractors Award Information and pricing | "Attachment" Tab |

Zone Listing

| Zone 1-Global | Zone 2-Global | Zone 3-Global | Zone 4-Global | Zone 5-Sprague | Zone 5-Sprague | Zone 6-Sprague | Zone 7-Sprague | Zone 8-Sprague |
|---|---|--|--|--|---|---|--|---|
| ARLINGTON BELMONT BOSTON BRAINTREE BROOKLINE BURLINGTON CAMBRIDGE CANTON CHELSEA COHASSET DEDHAM DOVER EVERETT HINGHAM HOLBROOK HULL LEXINGTON LINCOLN MALDEN MEDFORD MELROSE MILTON NEEDHAM NEWTON NORWOOD QUINCY RANDOLPH REVERE SAUGUS SOMERVILLE STONEHAM WAKEFIELD WALTHAM WATERTOWN WELLESLEY WESTON WESTWOOD WEYMOUTH WILMINGTON WINCHESTER WINTHROP WOBURN | AMESBURY ANDOVER BEVERLY BOXFORD DANVERS DRACUT ESSEX GEORGETOWN GLOUCESTER GROVELAND HAMILTON HAVERHILL IPSWICH LAWRENCE LOWELL LYNN LYNNFIELD MANCHESTER MARBLEHEAD MERRIMAC METHUEN MIDDLETON NAHANT NEWBURY NEWBURYPORT NORTH ANDOVER NORTH READING PEABODY READING ROCKPORT ROWLEY SALEM SALISBURY SWAMPSCOTT TEWKSBURY TOPSFIELD WENHAM WEST NEWBURY | ABINGTON ACUSHNET ATTLEBORO AVON BERKLEY BRIDGEWATER BROCKTON CARVER DARTMOUTH DIGHTON DUXBURY EAST BRIDGEWATER EASTON FAIRHAVEN FALL RIVER FOXBOROUGH FREETOWN HALIFAX HANOVER HANSON KINGSTON LAKEVILLE MANSFIELD MARION MARSHFIELD MATTAPOISETT MEDFIELD MIDDLEBOROUGH NEW BEDFORD NORFOLK NORTH ATTLEBOROUGH NORTON NORWELL PEMBROKE PLAINVILLE PLYMOUTH PLYMPTON RAYNHAM REHOBOTH ROCHESTER ROCKLAND SCITUATE SEEKONK SHARON SOMERSET STOUGHTON SWANSEA TAUNTON WALPOLE WAREHAM WEST BRIDGEWATER WESTPORT WHITMAN WRENTHAM | BARNSTABLE BOURNE BREWSTER CHATHAM DENNIS EASTHAM FALMOUTH GOSNOLD HARWICH MASHPEE ORLEANS PROVINCETOWN SANDWICH TRURO WELLFLEET YARMOUTH | ACTON ASHLAND AUBURN AYER BARRE BEDFORD BELLINGHAM BERLIN BILLERICA BLACKSTONE BOLTON BOXBOROUGH BOYLSTON BROOKFIELD CARLISLE CHARLTON CHELMSFORD CLINTON CONCORD DOUGLAS DUDLEY DUNSTABLE EAST BROOKFIELD FRAMINGHAM FRANKLIN GRAFTON GROTON HARDWICK HARVARD HOLDEN HOLLISTON HOPEDALE HOPKINTON HUBBARDSTON HUDSON LANCASTER LEICESTER LITTLETON MARLBOROUGH MAYNARD MEDWAY MENDON MILFORD MILLBURY MILLIS MILLVILLE NATICK NEW BRAINTREE NORTH BROOKFIELD NORTHBOROUGH NORTHBRIDGE | OAKHAM OXFORD PAXTON PEPPERELL PETERSHAM PRINCETON RUTLAND SHERBORN SHIRLEY SHREWSBURY SOUTHBOROUGH SOUTHBRIDGE SPENCER STERLING STOW STURBRIDGE SUDBURY SUTTON TYNGSBOROUGH UPTON UXBRIDGE WARREN WAYLAND WEBSTER WEST BOYLSTON WEST BROOKFIELD WESTBOROUGH WESTFORD WORCESTER | ASHBURNHAM ASHBY ATHOL BERNARDSTON BUCKLAND CHARLEMONT COLRAIN DEERFIELD ERVING FITCHBURG GARDNER GILL GREENFIELD HAWLEY HEATH LEOMINSTER LEVERETT LEYDEN LUNENBURG MONTAGUE NEW SALEM NORTHFIELD ORANGE PELHAM PHILLIPSTON ROWE ROYALSTON SHELBURNE SHUTESBURY SUNDERLAND TEMPLETON TOWNSEND WARWICK WENDELL WESTMINSTER WINCHENDON | AGAWAM AMHERST ASHFIELD BELCHERTOWN BLANDFORD BRIMFIELD CHESTER CHESTERFIELD CHICOPEE CONWAY CUMMINGTON EAST LONGMEADOW EASTHAMPTON GOSHEN GRANBY GRANVILLE HADLEY HAMPDEN HATFIELD HOLLAND HOLYOKE HUNTINGTON LONGMEADOW LUDLOW MIDDLEFIELD MONSON MONTGOMERY NORTHAMPTON PALMER PLAINFIELD RUSSELL SOUTH HADLEY SOUTHAMPTON SOUTHWICK SPRINGFIELD TOLLAND WALES WARE WEST SPRINGFIELD WESTFIELD WESTHAMPTON WHATELY WILBRAHAM WILLIAMSBURG WORTHINGTON | ADAMS ALFORD BECKET CHESHIRE CLARKSBURG DALTON EGREMONT FLORIDA GREAT BARRINGTON HANCOCK HINSDALE LANESBOROUGH LEE LENOX MONROE MONTEREY MOUNT WASHINGTON NEW ASHFORD NEW MARLBOROUGH NORTH ADAMS OTIS PERU PITTSFIELD RICHMOND SANDSFIELD SAVOY SHEFFIELD STOCKBRIDGE TYRINGHAM WASHINGTON WEST STOCKBRIDGE WILLIAMSTOWN WINDSOR |

Contractor Listing

| Vendor Name | Vendor Contact | Vendor Comments | City | State | Zip | Phone | Cont Email |
|--|-----------------|---|--------------|-------|-------|----------------------|--|
| Lorusso Corporation | Linda Watterson | Category 4 (Regions 1, 3, 4, 5) | Plainville | MA | 02762 | 508-695-3252 | linda.watterson@lorussocorp.com |
| M.E. O'Brien & Sons, Inc. | Meghan O'Brien | Categories 6, 7, 9 (Statewide) | Medfield | MA | 02052 | 508-359-4200 | mail@obrienandsons.com |
| Bigelow Nurseries, Inc. | Timothy Hay | Category 1 (Statewide) | Northborough | MA | 01532 | 508-845-2143 x14 | timhay@bigelownurseries.com |
| New England Recycling Co., Inc. | Steve Goldstein | Categories 3 (Regions 1, 2, 3, 4, 5), 4 (Region 3) | Taunton | MA | 02780 | 508-813-1278 | kbrady@nerecycling.com |
| Northeast Nursery, Inc. | Andrew Demotes | Categories 1 & 2 (Statewide), and Category 4 (Regions 1, 2, 3, 5) | Peabody | MA | 01960 | 978-854-4411 | aj@northeastnursery.com |
| Cavicchio Greenhouses Inc | Edward Kassor | Category 1 (Regions 1, 2, 5) | Sudbury | MA | 01776 | 978-443-7177 x268 | ekassor@cavicchio.com |
| Site Specifics, LLC | Cindy Maak | Category 6 (Statewide) | Rochester | MA | 02770 | 888-551-3155 | cindy@sitespecifics.net |
| New England Recreation Group, Inc. | Charles Ramondo | Category 6, 7 (Statewide) | Westboro | MA | 01581 | 800-861-1209 | nerg@nerecgroup.com |
| Marturano Recreation Company | James Marturano | Categories 6 and 7 (Statewide) | Spring Lake | NJ | 07762 | 800-922-0070 | marturano@gametime.com |
| Premier Park & Play | Doug Knotts | Categories 6, 7 and 9 (Statewide) | Newton | MA | 02458 | 617-244-3317 | premierparkplay@verizon.net |
| PlayCore Wisconsin, Inc dba BigToys | Natalie Child | Category 6 (Statewide) | Tumwater | WA | 98512 | 360-528-8697 | nchild@bigtoys.com |
| Earth Safe, Inc. | Stephen Orbe | Categories 6, 7, 8 (Statewide) | Harwich | MA | 02645 | 508-430-0777 | steve@earthsafeinc.net |
| Valley Green Inc. | Joe Goncalves | Category 4 (Region 7) | Holyoke | MA | 01040 | 413-533-0726 | j.goncalves@valleygreenusa.com |

| Vendor Name | Vendor Contact | Vendor Comments | City | State | Zip | Phone | Cont Email |
|--|-----------------------|------------------------------------|------------|-------|-------|----------------------|--|
| Harrell's, L.L.C. | Roland Card | Category 2 (Statewide) | Auburn | MA | 01501 | 508-304-2184 | rcardl@harrells.com |
| Design Built LLC DBA Childscapes | Timothy Pesko | Category 6, 7 (Statewide) | Marshfield | MA | 02050 | 781-837-6412 | tpesko@childscapes.net |
| Amherst Nurseries (John W Kinchla DBA) | John Kinchla | Category 1 (Statewide) | Amherst | MA | 01002 | 413-549-8873 | jwk@amherstnurseries.com |
| Rubberecycle, LLC | Keith Sacks | Category 6 (Statewide) | Lakewood | NJ | 08701 | 732-363-0600 x104 | keith@rubbermulch.com |
| Helena Chemical Company | Louis Bettencourt | Category 2 (Statewide) | Hatfield | MA | 01038 | 800-452-3294 | bettencourt1@helenachemical.com |
| ProBark Industries Inc. | Daniel Mayer Mayer | Category 3 (Regions 1, 2, 5, 6) | Essex | MA | 01929 | 978-768-6999 | dan@mayer-tree.com |
| UltiPlay Parks & Playgrounds, Inc | Michael Parody | Categories 6 and 7 (Statewide) | Uxbridge | MA | 01569 | 866-575-7529 | mparody@ultiplayus.com |